IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.13261 of 1998

Between:

1 T. Krishna Reddy, S/o. T.Pitchi Reddy,
R/o. Guntur. Vehicle No. AP-7-T-4968.
2 Y. Anki Reddy, S/o. Y.Veera Reddy,
R/o. Guntur. Vehicle No. AP-7-T-5137
3 Ch. Sudhakar Rao, S/o.Ch. Koteswara Rao,
R/o. Guntur. Vehicle No. AP-7-T-4159
4 M. Subba Rao, S/o. Gurvaiah,
R/o. Guntur. Vehicle No. AP-7-T-5359
5 M/s. M.S.V. Transport, Rep.by its M. Satyanarayana,
R/o. Guntur. Vehicle No. AP-7-T-4116
6 K. Radha Krishna Murthy, S/o.K.Biksham,
R/o. Guntur. Vehicle No. AP-7-T-1810
7 Ch. Ranga Reddy, S/o.Ch. Subba Reddy,
R/o. Guntur. Vehicle No. AP-7-T-5167.
8 S. Sambaiah, S/o. S.Kotaiah,
R/o. Guntur. Vehicle No. AP-7-T-5549.

..... PETITIONERS

AND

The Secretary, Regional Transport Authority,
Guntur.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other Writ, order or direction declaring that the action of the respondent insisting the gross Vehicle weight of the Vehicles of the petitioners bearing registration numbers as mentioned in the cause title as 15,244 Kgs. as illegal, contrary to law and further hold that the said Vehicle is entitled to be assigned a gross Vehicle weight of 16, 200Kgs. is in accordance with Sec. 58(4) and Consequently direct the respondent herein to enter the gross vehicle weight of 16, 200 kgs. in the registration certificate of the vehicles.

Counsel for the Petitioners: MR.B.CHANDRA SHEKHAR
Counsel for the Respondent: GP FOR TRANSPORT

The Court made the following :

ORDER:

This writ petition is filed seeking to declare the action of the respondent-Secretary, Regional Transport Authority in insisting the gross weight of the vehicles of the petitioners as 15,244 Kgs instead of
16,200 Kgs, as illegal and arbitrary.

When the matter is taken up for hearing, it is submitted by the learned counsel for the petitioners and conceded by the learned Government Pleader for Transport that the subject matter of this writ petition is squarely covered by the judgment of the Apex Court in

N. Venkateswara Rao vs. S.T.A.[1], wherein the Apex Court elaborately considered the matter and dismissed the appeals and the W.P.No.6211 of 1990 and batch, orders in which were challenged therein.

In the circumstances, following the above judgment, this Writ Petition is also dismissed for the same and similar reasons. No costs.

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N.V. RAMANA, J.

Date: 22.02.2005

Nsr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary, Regional Transport Authority,
Guntur.

2 Two CCs to GP for Transport, High Court Buildings, Hyderabad

(OUT)

3 2 CD copies

*Form-NIC-OGS/WP{**ANURADHA**}*